

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:  
Saida Simmons

Case No.: 24-20250  
Judge: Stacey L Meisel  
Chapter: 13

### CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION

The debtor in this case opposes the following (choose one):

1. ☐ Motion for Relief from the Automatic Stay filed by \_\_\_\_\_, creditor,

A hearing has been scheduled for \_\_\_\_\_, at \_\_\_\_\_.

- ☐ Motion to Dismiss filed by the Chapter 13 Trustee.

A hearing has been scheduled for \_\_\_\_\_, at \_\_\_\_\_.

- ☒ Certification of Default filed by Marie-Ann Greenberg,

I am requesting a hearing be scheduled on this matter.

2. I oppose the above matter for the following reasons (choose one):

- ☐ Payments have been made in the amount of \$ \_\_\_\_\_, but have not been accounted for. Documentation in support is attached.

☐ Payments have not been made for the following reasons and debtor proposes repayment as follows (explain your answer):

☒ Other (explain your answer):

I received an income tax refund in the amount of \$11,621. I understand that I was supposed to pay the trustee the full amount of my tax refund over \$2,500. What happened, however, is that the tax refund was deposited into my checking account and I have overdraft checking and the amount of the overdraft was setoff against the \$11,621. Now I have only \$8,000 left. I would like to keep \$3,000 of the \$8,000 because I need that money for my living expenses-- I am hoping that the trustee would agree to accept \$5,000 from my tax refund. I would like to point out that my plan pays a 100% dividend to my unsecured creditors.

3. This certification is being made in an effort to resolve the issues raised in the certification of default or motion.

4. I certify under penalty of perjury that the above is true.

Date:

4/30/2025

Debtor's Signature



Date:

\_\_\_\_\_

Debtor's Signature

\_\_\_\_\_

**NOTES:**

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee's Motion to Dismiss.
2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.